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Security Council

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Monday, 23 November 2009, 10 a.m.

New York

President:	Mr. Mayr-Harting	(Austria)
Members:	Burkina Faso	Mr. Kafando
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. De Rivière
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Puente
	Russian Federation	Mr. Churkin
	Turkey	Mr. Apakan
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Bui The Giang

Agenda

The situation in Bosnia and Herzegovina

Letter dated 12 November 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/588)

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09-61649 (E)

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Letter dated 12 November 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/588)

The President: I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina, Serbia and Sweden, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

I request the Protocol Officer to escort His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, to a seat at the Council table.

Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, was escorted to a seat at the Council table.

The President: On behalf of the Council, I extend a warm welcome to His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina.

At the invitation of the President, Mr. Starčević (Serbia) and Mr. Lidén (Sweden) took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina.

It is so decided.

I invite Mr. Inzko to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of members of the Council to document S/2009/588*, containing a letter dated 12 November 2009 from the Secretary-General transmitting the thirty-sixth report on the implementation of the Peace Agreement on Bosnia and Herzegovina.

At this meeting, the Security Council will hear a briefing by His Excellency Mr. Valentin Inzko. I now give him the floor.

Mr. Inzko: Allow me before I begin my briefing to recall May 1992, 17 years ago, when the Austrian President of the Security Council, Mr. Hohenfellner, introduced draft resolutions proposing United Nations membership for Slovenia, Croatia and Bosnia and Herzegovina. The General Assembly acted accordingly on 22 May 1992 (see A/46/PV.86), and since then Bosnia and Herzegovina has been a State Member of the United Nations. In Slovenia, to this day, that date is celebrated as the day of Slovenian diplomacy. Nor has that important day been forgotten in Bosnia and Herzegovina.

Seventeen years later, let me today congratulate Bosnia and Herzegovina on its election to a seat on the Security Council. This, in my view, is Bosnia and Herzegovina's greatest foreign policy achievement since the signature of the Dayton Agreement. However, it is of course also a huge responsibility for the country, which I believe Bosnia and Herzegovina will shoulder well, with the kind and generous assistance of the other members of the Council.

For 14 years, the international community has worked with the people of Bosnia and Herzegovina to rebuild their society, focusing on the practical challenges of post-war recovery and Euro-Atlantic integration. Development in Bosnia and Herzegovina today no longer focuses on practical challenges, but on a fundamental political debate which has, not resolved a number of relevant political problems. The international community is working intensively with its partners in Bosnia and Herzegovina to resolve this debate. When that is done, we can achieve rapid

progress towards our final objective: a sovereign, prosperous and democratic Bosnia and Herzegovina fully integrated in Euro-Atlantic structures.

But we have not yet resolved all the open political issues in Bosnia and Herzegovina, and as a result we have seen a series of obstacles, delays and failures. All of these failures are, basically, a consequence of political differences and, sometimes, obstructionism. I believe, for two reasons, that we will find a way around obstruction.

First, Bosnia and Herzegovina is a society with distinctive, if sometimes specific, ways of producing consensus. It may not always be possible to find the most straightforward solution, but I am confident that in due course we will find a Bosnian way, and that this will allow us to reach our ultimate objective.

Secondly, Bosnia and Herzegovina is part of the sustained international effort to integrate the countries of the Western Balkans into Euro-Atlantic structures. The international community cannot and must not abandon its massive investment of political and material resources because of the present difficulties. Resolving the political impasse in Bosnia and Herzegovina is in our interest as well as the interest of the people of that country.

The unresolved political issues I mentioned earlier, are a product of two confusions. First, there is confusion in the Republika Srpska over the nature of the entity and the nature of the State; and there is confusion in both entities about the proper focus and functioning of politics and the State as a system. The Republika Srpska leadership has failed to grasp that the State and entity authorities have separate and clearly defined mandates and that each must do its work, complementing the other. This discrepancy in approach has generated considerable difficulties.

At the same time, a number of political leaders in the Federation advocate a much stronger role at the State level and a reduced role for the entities in the State structure of Bosnia and Herzegovina. This too does not contribute to improved dialogue and forward-looking politics.

The reporting period has been characterized by persistent political problems and a lack of progress on key agendas in which Bosnia and Herzegovina is involved. As a result, a number of laws that were required for Euro-Atlantic integration and for the closure of my office have been delayed. At the same time, the Council of Ministers has failed to make key appointments at the highest level of Government and State agencies. This has further slowed progress and the development of a professional public administration.

On 1 October, Serb members of the House of Representatives voted down a law that would have extended the mandates of international judges and prosecutors working in the State court and the Prosecutor's Office, despite repeated requests from all the judicial institutions in Bosnia and Herzegovina, from the International Tribunal for the Former Yugoslavia and from non-governmental organizations working in the fields of anti-corruption and war-crimes prosecution to extend the mandate. The relevant authorities also failed to undertake any serious effort to replace these international judges and prosecutors with local counterparts. This issue is still unresolved, and I fear that a failure to solve the extension of the judges and prosecutors may result in a collapse of the judicial system in the country.

It is self-explanatory why the fight against organized crime, corruption and terrorism is so important. Bosnia and Herzegovina's capacity to pursue war crimes trials is equally crucial to the individualization of the guilt and the reconciliation process in general.

A consistent pattern can be identified in this behaviour. Parties from Republika Srpska frequently criticize State-level institutions for lack of efficiency at the very same time as they are actively engaged in undermining those same institutions. In other words, from time to time they create a problem at the State level and then criticize the State for having the problem. This is happening at the same time as Bosnia and Herzegovina is desperately struggling to become a member of NATO and the European Union (EU). We thus have a disagreement and confusion over the nature of the entity and the nature and the functions of the State.

The second confusion involves the proper focus of politics. As I said earlier, this has been a problem not only in Republika Srpska, but also in the other entity — the Federation. During the reporting period, tens of thousands of jobs were lost in Bosnia and Herzegovina as a result of the world recession and of the failure to ensure cooperation and proper fiscal

coordination in the country. This represents an existential crisis for thousands of families in Bosnia and Herzegovina. It is a crisis that has been largely ignored by the political establishment. Where there has been any focus at all on the economy, it has concerned the spending cuts that were required by the International Monetary Fund (IMF) before it would disburse the first tranche of a €1.2 billion loan in July.

The new Federation Prime Minister, Mustafa Mujezinovic, appointed on 25 June after his predecessor resigned amid corruption allegations, has had to face well-orchestrated protests from budget beneficiaries who stand to lose money as a result of the IMF-mandated cuts. There have been numerous problems in this regard; however, the latest IMF mission to Bosnia and Herzegovina ended successfully last week, which should now open up the disbursement of additional IMF funds. In this regard, I would like to thank Prime Minister Špirić for the speedy and successful negotiations with the IMF.

In related areas, progress in the reporting period has been limited and further compromised by the failure, for political reasons, to appoint key personnel. This was also confirmed by the European Commission's progress report in October, which outlined that overall only "limited progress" has been achieved in addressing EU-related reforms. Meanwhile, 120,000 citizens continue to be classified as internally displaced, amid the constant politicization of the issue of refugee return. However, there has been no agreement to provide for a sustainable solution to this problem, and the strategy for refugee return has been blocked for years now.

I want to make it clear that this litany of administrative problems, parliamentary gridlock, and frequent Government stalemate has political, not structural or administrative roots, although such causes also exist. However, there can be progress if there is political will. Clear evidence of this is the progress in addressing the conditions for visa liberalization. I want to commend and thank Prime Minister Špirić and other political leaders in this regard. Prime Minister Špirić has successfully accelerated the adoption of a number of draft laws relevant to the visa liberalization agenda, which we hope will keep the time gap between Bosnia and Herzegovina and the other countries of the region as small as possible.

It is for the aforementioned political problems that the diplomatic initiative being spearheaded by Carl Bildt for the European Union presidency and James Steinberg for the United States Department of State is so important. This is a resolute attempt to grasp the bull by the horns and sort out the political problem at the heart of Bosnia and Herzegovina's present difficulties. This is the highest level political effort since Dayton, and there is no other process ongoing at present. I have repeatedly welcomed and strongly supported these efforts, and I hope that this joint EU-United States initiative will come to a positive conclusion in early December.

The joint EU-United States efforts, as well as the recent visits of the British, Russian and Turkish Foreign Ministers and other high-level dignitaries, such as those of President Mesić last week and Prime Minister Kosor on 2 November, are very important and welcome, but nevertheless a clear indication that continued high-level attention from the wider international community is still needed to keep Bosnia and Herzegovina on the right track.

Progress in the EU-United States initiative will have a direct bearing upon the future of the Office of the High Representative (OHR). As Council members know, in February 2008 the Peace Implementation Council Steering Board drew up five objectives and two requirements that must be met before my Office can be closed to make way for a strengthened EU Special Representative. At that time, it seemed reasonable to expect these objectives and conditions to be met fairly quickly, and in the course of 2008 we saw substantial progress. During the current reporting period, however, we have sometimes also witnessed regression.

The two objectives related to State and military property have not yet been met and the conditions for closing the Brcko District supervision have not yet been entirely fulfilled. As a result, the Peace Implementation Council is not at present able to make a positive assessment that would allow for the closure of OHR. This was confirmed last week by the Peace Implementation Council. The lack of progress on the so called 5+2 agenda by domestic political leaders has also forced me to use my executive powers on a number of occasions.

As Council members know, I am the fourth High Representative who has simultaneously held the

position of EU Special Representative. There are clear synergies to be derived from this arrangement, but at the same time it has to be recognized that it was initiated when circumstances in Bosnia and Herzegovina were fundamentally different. Thus, the time may have come to review the usefulness of having the two positions held by the same person. This, however, is only one possibility for the way forward that will have to be considered in the coming months.

By the same token, for the past three years, as attention has focused on closing OHR, the use of the Bonn powers has been scaled back. OHR intervention in the domestic political system has been further constrained by the desirability of giving the political actors greater political space to explore possibilities for consensus as part of the current EU- and United States-led negotiating process.

The task before us is to complete the rule of law and economic reform agenda, resolve the issue of State and defence property, make provision for continued refugee return and, where necessary, eliminate the political obstructions to those Dayton objectives. I am confident that we can find international consensus on the right way to do this. None of the Peace Implementation Council Steering Board members want the situation in Bosnia and Herzegovina to deteriorate further. At the same time all — and I stress all — of the Steering Board members support full implementation of the Dayton Peace Agreement, and that gives us good reason for moderate optimism.

I would like to commend the Security Council for its adoption last week of resolution 1895 (2009), approving the extension of the mandate of the European Union military mission in Bosnia and Herzegovina (EUFOR). The international community's military presence — down from 60,000 soldiers after the war to 2,000 troops today — is clear evidence of positive developments in the country. However, I consider that a continued EUFOR deployment, with an executive mandate, is still important, as it is a guarantee to citizens that the international community will not tolerate the possibility of a return to violence.

Despite the somewhat gloomy nature of my report this morning, I am still confident that Bosnia and Herzegovina can break out of the present impasse. The country is now at a crossroads, and the political leaders will now need to decide whether they are ready to fulfil the necessary conditions that would help them move forward on Euro-Atlantic integration and whether they are ready to address the conditions needed for the closure of the Office of the High Representative and the transition to a reinforced EU engagement. However, the international community, as I mentioned, will equally have to decide on its future presence in Bosnia and Herzegovina, because a robust international presence will still be needed after the closure of the Office of the High Representative, as the challenges deriving from the Dayton Agreement will still need to be addressed. But the question will be in what role and with what mandate the international community will stay in Bosnia and Herzegovina in the future. That is an issue that the Peace Implementation Council will have to decide upon in 2010.

As I have mentioned before, the international community is now engaged in an intensive exercise which would not only make the country more functional but also support the enormous human capital of the country. Let us remember that Bosnians and Herzegovinians have shown resilience, creativity and fortitude in the past. I know that, with their help, we can improve the present situation and move ahead to strengthen Bosnia and Herzegovina as a sovereign, prosperous, stable and democratic country, standing on its own and, in the future, fully integrated into the Euro-Atlantic family.

Finally, I would like to thank the outgoing High Representative, Javier Solana, for his efforts to strengthen peace and security in Bosnia and Herzegovina, and I would like to wish him all the best for his future.

The President: I thank Mr. Inzko for his briefing.

I now invite His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, to take the floor.

Mr. Špirić (Bosnia and Herzegovina) (*spoke in Bosnian; English interpretation provided by the delegation*): May I first extend my warm greetings to all present and express my pleasure at having been given the opportunity, for the sixth time, to report to the Security Council on the current situation in Bosnia and Herzegovina. This is also an opportunity for me to share my views on the situation in Bosnia and Herzegovina and the challenges and dilemmas we are facing.

Since the previous Security Council meeting of this kind, in May (see S/PV.6130), the Bosnia and Herzegovina Council of Ministers has held 20 sessions, 18 of which were regular and two of which were thematic. Thirty-eight bills and a number of important strategies and action plans were discussed and adopted at those sessions. The absolute priority — my own and of my Office — was to meet the conditions for the liberalization of the visa regime for citizens of Bosnia and Herzegovina. It is with great pleasure that I can report that last week we fulfilled all requirements set out in the European Commission's visa regime liberalization road map falling within the competence of the Council of Ministers.

That was not an easy task, because we needed to meet 174 requirements. Yet this achievement illustrates that it is possible for domestic stakeholders to reach agreement. Thus, in a relatively short period of time we have succeeded in formulating an international legal assistance bill, a border control bill, an anti-money-laundering bill, a criminal code amendment bill and an anti-corruption and coordination agency amendment bill. We also drafted and adopted a number of strategies such as a strategy to combat organized crime, a strategy to combat corruption and an action plan for the implementation of the strategy, a strategy to reintegrate returnees, and a strategy to prevent money laundering and the financing of terrorist activities along with its corresponding action plan for the period 2009 to 2013. We also agreed upon a model for information exchange among police authorities, as well as other decisions.

In addition, we adopted a number of system-wide measures, thus enabling all institutions at all levels to prepare for the issuance of the new biometric passport. To date, more than 10,000 biometric passports have been issued, while several thousand applications are currently being processed. Having fulfilled the road map requirements, we made significant progress which, unfortunately, we failed to sufficiently promote within and outside Bosnia and Herzegovina. Thus, yet again, a success achieved by Bosnia and Herzegovina was overshadowed by other less successful processes or attempts at reform, which, by coincidence or not, came at the same time.

It is exactly for that reason that I believe that linking the issue of visa regime liberalization to any other process within Bosnia and Herzegovina is utterly counterproductive. Countless times we have been assured by the European Commission that the road map requirements are of a technical, not a political nature. Hence, I want to believe that that assurance will be reflected in practice and that, following a positive report, we will be treated in the same manner as neighbouring countries, in whose progress I take sincere delight. Reports by international non-governmental organizations indicate that Bosnia and Herzegovina has met more conditions at this point than the neighbouring countries had met at the time when they were awarded a positive recommendation by the European Commission. Hence, I would like to express my firm conviction that our progress will soon be formally endorsed by the European Commission in the form of a positive recommendation.

In addition, during the past period we have adopted and submitted to parliamentary procedure 38 bills, of which I would single out the anti-mine bill, the free zones bill, the general product safety bill, the tobacco product bill, the census bill — which, despite the consensus reached at the level of the working group charged with developing the bill and at the level of the Council of Ministers, was not supported by the Bosnia and Herzegovina Parliamentary Assembly — and the borrowing, debt and guarantee amendment bill, as well as the draft budget for 2010, which was submitted to the Presidency of Bosnia of Herzegovina for consideration. We have also adopted a number of strategies and action plans, such as the Bosnia and Herzegovina communication strategy for the NATO integration process, the small and medium-sized enterprises development strategy, the strategy and action plan for the control of small arms and light weapons and others.

In the period from May to November, the Fiscal Council held four sessions. Among the outcomes of those sessions was the agreed draft budget for 2010, which was forwarded to the Presidency of Bosnia and Herzegovina for further procedure in a timely manner. Over the recent period, the Council of Ministers and entity governments have been committed to fulfilling the conditions set out in the letter of intent signed with the International Monetary Fund (IMF) with a view to preserving the macroeconomic stability of the country. An IMF mission visited Sarajevo last week and gave a positive statement on the extent to which the conditions had been fulfilled thus far.

As regards the conditions for the transformation of the Office of the High Representative to an Office of

the European Union Special Representative, I would like to share my conviction that the 5+2 conditions will not turn into 5+2+1, which, to put it mildly, would further complicate things.

Since I had been informed by international officials that the State property inventory conducted by the Office of the High Representative would soon be finalized, and with a view to facilitating the resolution of that issue during the last session of the Council of Ministers, I submitted that the decision should be amended in such a way that the State Property Commission would be tasked with producing, within a period of 30 days, a preliminary list of the property that Bosnia and Herzegovina institutions require in order to exercise their constitutional competences. Unfortunately, the ministers representing the Bosniak people were not willing to vote in favour of such a decision, the implementation of which would finally meet the conditions for the transformation of the Office of the High Representative.

The purpose of my statement today is to give the Council a true picture of what has been achieved in Bosnia and Herzegovina. My intention is not to present any fabricated information or to create a perception that Bosnia and Herzegovina is a country free of problems and challenges. After all, I am not certain there is a country that has successfully trod the Euro-Atlantic path without encountering any difficulties or challenges. At the same time, I should like to reassure those who persistently insist on finding that Bosnia and Herzegovina has seen no progress at all and that all prospects are nothing but bleak that that is not the case, by sharing specific and verifiable information. Too much pessimism is never an ally in attaining the ultimate goal.

With no intention of entering into any debate with the High Representative with regard to his report (see S/2009/588*) that has been submitted to the Council, I find that the document does not leave much room for optimism. I fear that the international representatives in Bosnia and Herzegovina have fallen into the same pitfall that has trapped some leaders for years now — that of seeking the culprit, not the solution. And I shall again repeat what I have said on many occasions. In Bosnia and Herzegovina no party is either exclusively guilty or absolutely innocent, and I urge the Council to take that fact into account when considering any report on Bosnia and Herzegovina.

To an adept analyst, the report tells more about the Office of the High Representative and the situation and relations within it than about the situation in Bosnia and Herzegovina. If the High Representative's report depicts the true state of affairs in the country, then I need to ask a question, quite openly: how is it possible, then, that Bosnia and Herzegovina was elected to a non-permanent seat in the Security Council? I always believed that such an honour was given to those countries in which real and visible progress had been made. Another question may be posed as well: how is it possible that almost all European Union member States supported Bosnia and Herzegovina's candidacy as a non-permanent member of the Security Council when there is no readiness to support even Bosnia and Herzegovina's application for European Union membership? There are too many illogicalities and too much experimenting with Bosnia and Herzegovina — just as there are so many dilemmas and challenges to which all of us need to respond in an appropriate manner.

If things are as dire as described in the High Representative's report, then one may justifiably wonder what all of us together have been doing in the recent past. On more than one occasion, I have underlined that the international community is not a mere observer, but an active participant in all processes in Bosnian and Herzegovina.

I have said that my intention is not to debate the report presented by the High Representative. However, I feel a moral and professional obligation to note certain details in the report that do not reflect the true state of affairs.

For example, in paragraph 18 of the report, the High Representative claims that over much of the summer the Council of Ministers was unable to meet or make decisions. Thus I feel an obligation, in my capacity as the Chairman of the Council of Ministers, to inform the Council that in the period from 1 June to 30 September 2009 the Bosnia and Herzegovina Council of Ministers held 10 sessions during which 321 agenda items were discussed and 20 bills were adopted. It is true that the Council of Ministers did not sit in August partly because of the regular summer break and partly because of a detail omitted from the High Representative's report, which is the failure of one of the ministers representing the Bosniak people to attend one of the scheduled sessions.

In addition, I would like to use this opportunity to inform the Council that I have recently forwarded the decision to appoint the new Security Minister for further procedures. I did so although I still hold that appointing the key directors of State agencies is as important as appointing the Security Ministers. I opted to take such a step in the hope that the party, which remained unnamed in the High Representative's report and which has been impeding the appointment of the directors of State agencies, will demonstrate a sound sense of responsibility and unfreeze the process. What cannot be overlooked, though, is the fact that the key State agencies, which have billions of Euros at their disposal, are managed by directors whose terms in office expired long ago. I am of the view that we should not allow any further degradation of vacancy procedures or hindrance of the process.

On a number of occasions, when addressing the Security Council, I have pointed out that the Republic of Srpska can be a vehicle for the development of Bosnia and Herzegovina, not a threat to it. I fear that the High Representative's report delineates the contours of the latter. In the report, I could not find one single positive conclusion concerning the Republic of Srpska and its institutions, although it is known and recognized in general that the Republic of Srpska is the more functional and efficient part of Bosnia and Herzegovina. The opinionated tone with which the report refers to the Republic of Srpska as an obstruction and the federation of Bosnia and Herzegovina as being in difficulties cannot but disturb any objective observer.

I fear that the associates of the High Representative who contributed to this report — primarily the local staff — have fallen into the trap of being superficial and unprofessional. The allegations and statements about the Prime Minister of the Republic of Srpska, Mr. Milorad Dodik, indicate that he should wait for others in Bosnia and Herzegovina to grow up politically and that he should wait for the Office of the High Representative and the High Representative himself to accomplish their tasks. That situation has already produced unprecedented political parasitism and threatens to undermine the credibility not only of domestic institutions but of the international community as well.

Constitutional reform has been a burning issue in Bosnia and Herzegovina. I would first like to point out that the issue of constitutional reform should in no way be tied to the issue of the transformation of the Office of the High Representative into the European Union Special Representative. Specifically, constitutional reform is not an established precondition for the closure of the Office of the High Representative, while the closure of the Office is a precondition for a new phase in relations between Bosnia and Herzegovina and the European Union. That is the current message from Brussels, with which I fully concur.

I do not deny the necessity of constitutional reform, but I believe that the manner in which this issue is approached must be designed more carefully. I believe that it is only through a step-by-step approach that the desired goal can be attained. It has been pointed out on a number of occasions that when it comes to constitutional reform, only solutions based on evolution and not on revolution are possible in Bosnia and Herzegovina. To that I would add, once again, that whenever all-or-nothing principles have been applied, Bosnia and Herzegovina has ended up with nothing.

I would like to thank the representatives of the European Union and the Unites States of America for the efforts they have invested and the interest they have expressed in constitutional reform through the Butmir process. However, I should also like to point out that constitutional reform must be the fruit of internal dialogue and compromise based on the Dayton Accords and in no way a solution imposed from elsewhere. It is quite clear that imposed solutions are, in the long run, unreliable, and that they create potential instability.

I believe that the statute of the city of Mostar may best illustrate that assertion. When, some time ago, a former High Representatives imposed the statute of the city of Mostar, it was believed that the problem was resolved. And where do we stand now? More than one year after the local elections, the city of Mostar has no mayor and it is quite uncertain when it will have one, given the city's statute.

Bosnia and Herzegovina is at a crossroads. In order to make further positive steps and achieve progress, what is needed is much less superficiality and much more earnestness on the part of both domestic stakeholders and the international community. Also, we all need a new optimism, which can be attained only through an internal dialogue, that will ensure further progress on the Euro-Atlantic agenda. I urge the Council to encourage the authorities of Bosnia and Herzegovina to seek the best possible solutions through

dialogue, and I urge the High Representative to act as a strong incentive to that dialogue.

I thank the Council for its kind attention, and I am quite willing and ready to answer any questions members may have.

The President: I thank His Excellency Mr. Špirić for his statement. I shall now give the floor to those Council members who wish to make statements.

Mr. De Rivière (France) (*spoke in French*): First of all, I should like to thank the High Representative for the statement he has just made and to state that we fully agree with his analysis of the situation in Bosnia and Herzegovina. I also welcome the presence of Mr. Špirić, the Chairman of the Council of Ministers of Bosnia and Herzegovina.

Sweden will speak later on behalf of the European Union, and France naturally aligns itself with that statement. More than a year ago now, Bosnia and Herzegovina took an important step in signing a stabilization and association agreement, which confirmed its wish to join the European Union (EU). We had hoped then that positive momentum would result from that act to confirm a European perspective, but we see today with regret that political divisions still exist.

France remains optimistic. Last year's Prud process opened the way to solutions. For now, the Butmir process initiated by the European Union and the United States is opening up some genuine prospects. The international community cannot take the place of Bosnia and Herzegovina's leaders and people in dealing with the country's problems. It is up to them to demonstrate the political resolve necessary to arrive at compromises and to head towards the future. The international community, particularly the EU, is mobilized and continues to follow developments attentively. In this regard, we welcome the adoption of resolution 1895 (2009), which extends the mandate of the European Union military mission in Bosnia and Herzegovina (EUFOR) for another year. This is an essential contribution from the EU to Bosnia and Herzegovina's cause.

Today's meeting could have been the opportunity to note some progress by announcing the closing of the Office of the High Representative and the arrival of a new phase, since the EU is ready to take on even more responsibility. But the five conditions and two objectives have still not been fulfilled, and I must thus reiterate the necessity for Bosnia and Herzegovina's leaders to come an agreement on a compromise. This is within their grasp; it is up to them to assume their responsibilities, and the international community calls upon them to do so.

Sir Mark Lyall Grant (United Kingdom): I would like to join you, Mr. President, and other Security Council colleagues in welcoming Mr. Nikola Špirić, the Chairman of the Council of Ministers of Bosnia and Herzegovina, and Mr. Valentin Inzko, the High Representative, to the Council Chamber today.

I would like to begin by thanking the High Representative for his comprehensive report on developments in Bosnia and Herzegovina over the last six months (S/2009/588*). The United Kingdom fully supports the actions taken by the High Representative to uphold the Dayton Agreement and his efforts to facilitate reforms in Bosnia and Herzegovina. We should also note that the Steering Board of the Peace Implementation Council unanimously reiterated its full support for the High Representative in its communiqué on 19 November. We also welcome the Security Council's decision of 16 November to extend the mandate of the European Union military mission in Bosnia and Herzegovina (EUFOR) for a further period of 12 months. Although we are pleased that the security situation in Bosnia and Herzegovina is currently stable, we agree with the High Representative that EUFOR's continued presence remains essential to underpin that security.

The United Kingdom shares the concerns set out in the High Representative's report about the situation over the last six months. It is a bleak and honest report. Despite some positive developments, there has been insufficient progress on key reforms. We have seen another negative European Commission progress report, and the political climate has deteriorated further, with a worrying increase in nationalist rhetoric, particularly, but not exclusively, from the authorities in the Republika Srpska. This threatens to seriously impede any further progress.

At the same time, other countries in the region are getting ready to make big steps forward towards integration with the European Union and NATO. Unless Bosnian political leaders take urgent steps to unblock the current stalemate on reform, Bosnia and Herzegovina runs a serious risk of being left behind the

rest of the region. We would not like to see this happen. The views of Bosnian political leaders vary in many areas, but they have all made it clear that they support the country's EU aspirations. The European Commission has been equally clear that an EU membership application cannot be considered while the Office of the High Representative (OHR) remains in place. It is therefore essential that the "5 plus 2" objectives and conditions for closing the Office be met in full to allow for transition from OHR to the reinforced EU Special Representative. With the aim of EU integration in mind, we hope that Bosnian political leaders will be able to reach agreement on some modest reforms to bring the country's Constitution into line with the European Convention on Human Rights and to improve the efficiency and functionality of the State-level institutions.

Since the European Commission's progress report was issued in October, important steps have been taken by Bosnia and Herzegovina on the reforms necessary for visa liberalization. It is also good to hear about the successful International Monetary Fund mission to Sarajevo and the number of legislative measures enacted or in train. We welcome this progress, which demonstrates what can be achieved when the political will exists, and we call on Bosnia's political leaders to apply that determination to other pressing areas.

As my Foreign Minister made clear during his visit to Sarajevo earlier this month, the United Kingdom strongly supports the current efforts by the EU presidency and the United States Government to facilitate a local agreement between leaders on the outstanding issues. We urge the leaders of Bosnia and Herzegovina to seize this window of opportunity to make real progress. A similar opportunity is unlikely to occur for some time.

The United Kingdom strongly supports Bosnia and Herzegovina's European perspective. We are determined to work with Bosnia and Herzegovina wherever possible, so that it can take its rightful place in Europe along with other countries of the region. But ultimately it is only the political leaders in Bosnia and Herzegovina itself who can take the necessary action to advance their progress towards integration within the European Union and NATO, and provide the Bosnian people with the new European future that they deserve.

Finally, I would like to take this opportunity to congratulate Bosnia and Herzegovina on its election to the United Nations Security Council for the next two years. We hope that this will be a unifying challenge for Mr. Špirić's country, and we very much look forward to working with him.

Mr. Apakan (Turkey): Let me begin by welcoming Mr. Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina. I would also like to sincerely congratulate him on the election of his country as a non-permanent member of the Security Council, an indicator of the trust of the international community in his country. It will be a pleasure for us to serve together on the Council next year. We are also happy to see Mr. Inzko among us once again. I want to thank him for his leadership, as well as for his report (S/2009/588*) and his introductory remarks today.

Turkey considers itself historically a part of the Balkans, and a sovereign, democratic and stable Bosnia and Herzegovina is, therefore, important to us. Developments in this country occupy a distinct place on our foreign policy agenda. We continue to make every effort to keep Bosnia and Herzegovina on the right track, as evidenced by our Foreign Minister's recent visit.

We are glad to see that, since the conflicts of the 1990s, Bosnia and Herzegovina has made great progress. We firmly support the aspirations of the peoples of that country to fully integrate with the Euro-Atlantic institutions, including NATO, through the Membership Action Plan, and hope that those institutions will be forthcoming in embracing Bosnia and Herzegovina. We believe that such integration will eliminate any feelings of exclusion, instil confidence in the peoples of Bosnia and Herzegovina and ensure its future as a strong, stable, secure and whole European country.

Having said that, we cannot help but agree with the analysis presented by Mr. Inzko on the current situation in Bosnia and Herzegovina. The country is at a critical point. While the international community anticipates ever more steadfast and ambitious steps towards the consolidation of an effective, stable and viable State, as foreseen in the Dayton Peace Accords, what is offered is rather, to paraphrase the High Representative, nationalist, anti-Dayton rhetoric and actions that challenge the sovereignty and constitutional order of Bosnia and Herzegovina.

What we want to see is a common vision and joint action, not the pursuit of narrow ethnic interests.

In these circumstances, the international community is also faced with serious challenges. Unless we tackle that situation in a prudent manner, we may be faced with more serious problems in the Balkans.

Turkey is a member of the Steering Board of the Peace Implementation Council (PIC) and feels a special responsibility towards Bosnia and Herzegovina. It has been almost two years since the PIC Steering Board set five objectives and two conditions for the transition from the Office of the High Representative (OHR) to an enhanced European Union (EU) Special Representative mission. While there has been important progress on some issues, there are important outstanding problems. The overall process is quite slow and, in certain instances, there have been steps backwards. This situation is keeping the PIC Steering Board from concluding that its requirements have been fulfilled in a satisfactory manner.

Let me emphasize once again that we do not want the OHR to remain in Bosnia and Herzegovina forever. We want Bosnia to take ownership of its own future and pursue the aspirations of its peoples to become a part of the Euro-Atlantic structures as soon as possible. However, it will not be possible to proceed in the OHR transition before those objectives and conditions have been met in their entirety. Recently, there have been again some steps forward, but we would like to be convinced that those are not tactical but real and concrete, based on sincere and serious political will.

In that context, let me also underline that we are firm in our support for the High Representative. We ask him to continue his efforts. We expect him to make the decisions that he sees fit and to use the powers granted to him as needed to enforce those decisions. We do not agree that the actions of the High Representative and OHR personnel are unlawful. Such challenges are certainly not helpful to the international community's deliberations on the transition of the OHR.

Turkey welcomes and supports the discussion on the constitutional reform process initiated by the EU and the United States. We know that this process is not easy. The reform package has not been embraced by all of the founding leaders. We hope that the political leaders will seriously engage in those efforts, show commitment and flexibility, and eventually agree on a workable package that ensures a functional State structure. It is natural that each of them should have different expectations of that process. The important thing is to be able to reach a compromise that addresses some vital issues and increases the State's capability to govern.

In that regard, we share the opinion of the European Commission, reiterated by the High Representative, that the problem of blockages due to abuse of entity voting rules need to be addressed and that a stricter definition of the vital national clause in the Constitution is necessary. It is true that constitutional reform is not a part of the 5+2 requirements. At the same time, the second condition for the closure of OHR is for the PIC Steering Board to make a positive assessment of the situation in Bosnia and Herzegovina. We believe that success with regard to constitutional reform will help decrease political tensions and lead to a general normalization of the political climate.

Therefore, one cannot deny that any progress in the reform process will have a positive impact on the evaluation of whether the 5+2 requirements have been fulfilled. We are also of the opinion that it would be best to act prudently to consider the implementation of constitutional reform in parallel with the transformation of OHR and to not act in haste so as to prevent possible administrative gaps.

Let me repeat that Turkey fully supports the integration of Bosnia and Herzegovina into relevant Euro-Atlantic structures. We also support and appreciate the efforts of the EU to assist that country in taking its rightful place in the European family of nations and to provide stability through its Police Mission and peacekeeping force in Bosnia and Herzegovina. We believe that the EU-led peacekeeping force is an important part of the EU's comprehensive efforts in Bosnia and Herzegovina, and we encourage the EU to keep a military presence in the country as long as necessary.

Being fully committed to peace and stability in Bosnia Herzegovina, Turkey contributes actively to both EU missions. Turkey also remains ready to assist the peoples of Bosnia and Herzegovina in any way it can in achieving their aspirations.

Ms. DiCarlo (United States of America): I would like to welcome His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, back to the Council and thank him for his comments.

Let me also welcome High Representative Valentin Inzko, thank him for his comprehensive briefing and express our gratitude for his dedication and hard work. The United States fully supports the actions taken by the High Representative to implement the Dayton Peace Agreement.

Bosnia and Herzegovina has made extraordinary progress in the years since the war that tore the country apart in the early 1990s and caused such suffering for all its people. Since the signing of the Peace Agreement 14 years ago, Bosnians have worked hard to rebuild their economy and infrastructure and have begun the long, difficult process of reconciliation.

The country has assumed its obligations as a responsible member of the international community. It has dedicated itself to playing a constructive role in the region and in the world. NATO members have welcomed it into the Partnership for Peace, and Bosnia and Herzegovina has signed a Stabilization and Association Agreement with the European Union (EU). At the United Nations, we are proud to sit on the Human Rights Council with Bosnia and Herzegovina, and we look forward to welcoming it to the Security Council in January.

The United States is committed to helping the Bosnian people achieve their aspirations to become members of the EU and NATO. In that spirit, the United States and the European Union have engaged with party leaders, civil society representatives and Parliamentary committees in Bosnia and Herzegovina in what has become known as the Butmir process, so named since meetings of those groups took place at the military base outside of Sarajevo that has served as the headquarters of international peacekeepers since the days of the Multinational Military Implementation Force.

The Butmir process is an effort to help Bosnian leaders not only resolve the remaining issues in the 5+2 agenda set by the Peace Implementation Council for closure of the Office of the High Representative, but also to reform the Bosnian Constitution within the Dayton framework so that the State can advance towards joining the European Union and NATO.

For all the distance that Bosnia and Herzegovina has come, several aspects of the High Representative's report (S/2009/588*) are indeed troubling.

First, we are greatly concerned that very limited progress has been made towards meeting the outstanding requirements that the Peace Implementation Council set for the transition from the Office of the High Representative to an enhanced European Union Special Representative mission. We are similarly troubled by the lack of progress on the priorities and conditions required for Euro-Atlantic integration.

Secondly, Bosnia and Herzegovina has witnessed a sharp and dangerous increase in nationalist political rhetoric that could stir up anger and resentment and undermine the very State institutions that must be strengthened if the country is to meet the challenges of the twenty-first century. Such divisive and aggressive rhetoric is particularly troubling as the campaign season for the October 2010 presidential and parliamentary elections approaches.

Thirdly, the High Representative has noted that war crimes prosecutions and reform of the judicial sector have suffered due the inability of leaders to reach political decisions that advance national goals. We agree with the highest State-level judicial and prosecutorial officials that the mandates of international judges and prosecutors in the war crimes and organized crime chambers of the State Court and the Prosecutor's Office should be extended past December. Extending the mandates of those international officials is critical to the successful completion of related investigations. The practical, political and budgetary preconditions that would let that vital work continue without international assistance are not yet in place.

Fourthly and finally, we are deeply concerned about the lack of support for the authority of the Office of the High Representative. Let me state once again that the United States continues to fully support the High Representative and his work. We look forward to the day when the Office can make the transition to an enhanced European Union special representative mission. But first, the agreed-upon reform agenda, the five objectives and the two conditions must be completed. A successful transition will require action and support from all Bosnians, including the country's leaders.

As the High Representative points out, Bosnian leaders have taken some positive steps recently, including the adoption of legislation that will help

fulfil the conditions necessary for visa-free travel within the European Union and steps towards resolving issues among the entities that had threatened the State electricity transmission company, Transco.

Finally, let me note the one-year extension of the mandate of the European Union peacekeeping (EUFOR), which the Council adopted last week through resolution 1895 (2009). As High Representative Inzko has pointed out, EUFOR plays a key role in contributing to a safe and secure environment. We believe that EUFOR should remain in its current executive mandate and configuration for the time being.

The United States remains fully committed to supporting peace and stability in Bosnia and Herzegovina and to supporting that country's greater integration into Euro-Atlantic structures. We stand ready to assist the Bosnian people in these efforts.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We welcome the participation in today's Council meeting of Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina. We are grateful to him for his assessment of the current situation in the country. We join in the congratulations to Bosnia and Herzegovina on its election as a non-permanent member of the Security Council for 2010 and 2011.

Our thanks go to Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, for his briefing today and for his report to the Security Council on developments in Bosnia and Herzegovina (see S/2009/588*). However, we cannot agree with the fundamental tone of the report. The leitmotif of that document is the ongoing tension in Bosnia and Herzegovina and the inability of the Bosnian authorities to independently resolve their country's issues. In our view, this one-sided and unbalanced assessment does not accord with reality and is cause for concern.

The report of the High Representative, with its assertions of allegedly growing friction among Bosnian parties and of increasing potential for conflict, is at odds with the conclusions set out in the reports that the Council regularly receives from European Union forces. For years, they have been saying that the situation in Bosnia is stable and that the prognosis is favourable. This confirms our opinion that the political debate in that country does not exceed the constitutional framework of Bosnia and Herzegovina. Bosnian leaders are not undertaking anti-Dayton actions.

In order to establish a more balanced picture of the processes under way in Bosnia and Herzegovina, we draw the Council's attention to the second report prepared for the Council by the Government of Republika Srpska on the situation in the country, which sets out arguments refuting the emotional conclusions regarding the inability of Bosnia and Herzegovina to function without the Office of the High Representative.

Unfortunately, we must observe that the Office itself has become an institution for destabilization in Bosnia and Herzegovina. The unjustified and hasty use of Bonn powers is inevitably leading to heightened tension in Bosnia and Herzegovina. As members know, Russia has long called for an end to this obsolete mechanism.

Throughout Bosnia and in the entities, democratically elected bodies are functioning. Interference in their work, including micromanagement, does not serve to strengthen the statehood of Bosnia and Herzegovina. To the contrary, it destroys it; it undermines intra-Bosnian dialogue and it devalues the country's democratic institutions. The use of Bonn powers appears even stranger against the background of the election of Bosnia and Herzegovina as a non-permanent member of the Security Council.

The mandate of the High Representative relates solely to the implementation of the Dayton Agreement and to items established by the Steering Board of the Peace Implementation Council. The work of the Office of the High Representative should focus on prompt implementation of outstanding issues from the five objectives and two conditions approved by the Steering Board — the 5+2 formula. We believe that agreement on parameters for settling problems of State property and military property is entirely possible, even before the end of this year. That would open the door to setting specific deadlines for the conversion of the Office of the High Representative to a European Union special representative mission.

With a view to entering a qualitatively new phase in the Bosnian settlement process, we agree with Steering Board partners that a European perspective for Bosnia and Herzegovina is of key significance. That is another reason why it is essential to close the Office of the High Representative. According to Brussels, its

presence makes it impossible to consider the question of European Union candidate status for Bosnia. Linking this theme with constitutional reform in Bosnia and Herzegovina, which as members know is the essence of the Butmir initiative, will only lead the Bosnia settlement process into an impasse. Sharp disagreements and the reaction of the Bosnian parties to the Butmir ideas show that a precondition for constitutional change is the creation of conditions for constructive dialogue in Bosnia and Herzegovina itself. A review of Dayton will be possible only on the basis of consensus between both entities and all three constituent peoples; this must be achieved voluntarily, without arm-twisting or the imposition from outside of ready-made models. In that regard, we view attempts to frame the movement of Bosnia and Herzegovina into the European Union in terms of the Bosnian's adoption of the so-called Butmir package as unacceptable.

Mr. Kafando (Burkina Faso) (*spoke in French*): I thank Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina and European Union Special Representative, for his comprehensive briefing. We are grateful also to His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, for his statement. Once again, we congratulate Bosnia and Herzegovina on its election as a member of the Security Council and wish them every success during their term.

What we have just heard describes an overall situation that remains fragile and bleak and that appears to be close to an impasse. The Republika Srpska's constant challenges to the sovereignty, territorial integrity and constitutional order of Bosnia and Herzegovina pose a serious obstacle to vital reform and, in general, to efforts towards peace in the spirit of Dayton. We are deeply concerned about the resurgence of nationalism, which inflames passions and weakens the Federal Government, which is already beset by financial difficulties. We are equally concerned by threats against the High Representative, which must be taken seriously.

We hope that the political negotiations in the framework of the Butmir process initiated by the European Union and the United States will restore dialogue and ensure progress. We also welcome the Security Council's adoption on 18 November of resolution 1895 (2009), which extends the mandate of the European Union military mission in Bosnia and Herzegovina (EUFOR). That European force undeniably remains the key support for stability and security in Bosnia and Herzegovina. We urge the political actors in Bosnia and Herzegovina, in particular the leaders of Republika Srpska, to keep dialogue alive in order to safeguard the territorial integrity of their country and make democratic progress for the benefit of their citizens. In that regard, Bosnia and Herzegovina should do all it can to make its Euro-Atlantic integration a reality.

In a different vein, my delegation notes with regret that the country's National War Crimes Prosecution Strategy, which we welcomed last May, and the National Justice Sector Reform Strategy have not yielded the hoped-for results, principally because they have been blocked by Republika Srpska, in particular with respect to the extension of the mandates of international judges and prosecutors.

The economic situation in the country is very worrying, and the outlook is grim due to the effects of the global economic and financial crisis. In addition, the energy problem, which is now acute and a decisive factor of Bosnia and Herzegovina's economic health, must urgently be resolved.

With regard to ongoing reforms, in particular those related to the economy, public administration and defence, we call on the Government of Bosnia and Herzegovina to accelerate the implementation of strategies, plans of actions and programmes in order to rapidly meet the conditions for the transition from the Office of the High Representative to a European Union Special Representative mission. Similarly, efforts must be made to ensure progress in the areas of human rights, principally with respect to the protection of minorities and refugees, and freedom of press.

The regional environment is also a determining factor in the political, social and economic transformation of Bosnia and Herzegovina. That is why we welcome the improvement of the country's relations with its neighbours.

In conclusion, we encourage the political actors in Bosnia and Herzegovina to move forward and to demonstrate firm resolve to break the gridlock in their country in order to build a strong and stable State, of course within the framework of its integration into Europe.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): The Chinese delegation welcomes the convening of

today's meeting. I thank High Representative Valentin Inzko for his briefing. We commend him for his efforts in promoting the political process in Bosnia and Herzegovina. I also welcome the participation in today's meeting of Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and thank him for his statement.

Over the past year, the political situation in Bosnia and Herzegovina has been generally stable. Some reform initiatives in the areas of the Constitution, the rule of law, the economy and national defence have made some progress. Meanwhile, we are also aware of the worrisome picture described by the High Representative in his report (S/2009/588*). There has been almost no major progress in the implementation of the reform agenda. The Republika Srpska often challenges the State institutions, authority and laws of Bosnia and Herzegovina and questions the authority of the High Representative and the Steering Board of the Peace Implementation Council.

The Federation of Bosnia and Herzegovina faces many difficulties, including demonstrations by veterans and victims of the fighting in Sarajevo. We express our concern in this regard and hope that the European Union and the United States will strengthen their good offices and promote high-level political dialogue to achieve real results as soon as possible.

China respects the sovereignty and territorial integrity of Bosnia and Herzegovina. We earnestly hope that all the country's political leaders will effectively implement the Dayton Peace Agreement, actively engage in dialogue, enhance political and mutual trust, push for Government institution-building, constitutional reform and the rule of law, and make greater progress in these areas so as to preserve lasting peace, security and stability in Bosnia and Herzegovina and the Balkan region.

We also hope that the Government of Bosnia and Herzegovina, the International Monetary Fund and other parties will pay greater attention to the negative impact of the global economic crisis on economic, development and political reform in Bosnia and Herzegovina, and take corresponding active measures.

China welcomes the prospect of the gradual integration of Bosnia and Herzegovina into the European Union. We are happy to see Bosnian reform proceed in accordance with the European Commission's road map on visa liberalization or elimination. We believe that, in accordance with the mandate of the Dayton Peace Agreement, the High Representative should continue to take positive measures to promote the accession of Bosnia and Herzegovina into the European Union.

The European Union military mission in Bosnia and Herzegovina, in close cooperation with the Armed Forces of Bosnia and Herzegovina, is an important force in guaranteeing local security. We welcome the European Union's ongoing positive role in maintaining peace and stability and promoting economic and social development in Bosnia and Herzegovina.

China will continue to support the High Representative in fulfilling his duties and responsibilities. Together with the international community, we are ready, to the extent possible, to offer Bosnia and Herzegovina our help in achieving lasting peace, stability and development.

Mr. Puente (Mexico) (*spoke in Spanish*): The delegation of Mexico welcomes Mr. Valentin Inzko and thanks him for introducing his report (S/2009/588*).

My delegation also welcomes the participation of Mr. Nikola Špirić in this meeting. We welcome him and congratulate him on the election of his country as a non-permanent member of the Security Council starting 2010. We believe that the election of his country to the Security Council is a demonstration of the confidence vested by the international community in the future of Bosnia and Herzegovina and in the role that it can play to foster regional stability.

Mexico believes that if lasting peace and stability are to prevail in Bosnia and Herzegovina, the various political forces of the country must give new impetus to their dialogue and mutual understanding and demonstrate the political will to achieve true progress in the remaining aspects of the peace process.

In that regard, we note with concern that the report of the High Representative continues to portray a polarized political environment in Bosnia and Herzegovina that has hampered the work of State institutions, reduced the leeway to achieve the necessary implementation of the Peace Agreement. We again call on all actors in Bosnia and Herzegovina to redouble their efforts to meet the outstanding commitments and to keep channels open for dialogue and negotiations in order to resolve their differences

and avoid actions that could jeopardize the stability of the country.

We therefore welcome the joint initiative of the European Union and United States Government to promote domestic political dialogue in order to facilitate and accelerate institutional reform. We trust that such initiatives will contribute to the establishment of the conditions necessary to progress in reaching agreements on pending issues.

My delegation emphasizes the importance of the international community's ongoing support for the endeavours of the Government of Bosnia and Herzegovina to strengthen the rule of law. The United Nations, like other organizations on the ground, must continue to play a key role through its firm support in such areas as the training of police officers, lawyers and judges, and capacity-building to resolve civil law disputes, including those on property rights. My delegation also encourages the State authorities to step up their action to implement the National War Crimes Prosecution Strategy and the National Justice Sector Reform Strategy.

We trust that the endeavours to establish a central database on war crimes cases and greater regional cooperation between Bosnia and Herzegovina and neighbouring countries to determine jurisdictional responsibilities will contribute to progress in these Strategies, as will greater cooperation with the International Tribunal for the Former Yugoslavia. These actions are critical if the region is to turn the final page on conflict and regional division.

One of the outstanding issues of the Dayton Peace Agreement, which we believe requires priority attention, pertains to the situation of about 120,000 internally displaced persons who still cannot return to their homes due to unfavourable conditions on the ground. It is therefore important to achieve the necessary political consensus to comply with the provisions of annex 7 of the Peace Agreement, which refers to the establishment of a strategy for the return of displaced persons and refugees, supporting the rebuilding of houses, the return of property and the provision of necessary services.

Reintegration is a vital step towards national reconciliation. The needs of displaced persons must be explicitly addressed within a legal framework providing guarantees for the safe return of refugees. There is no denying that a favourable economic and political context would contribute to meeting the short-term humanitarian needs of these vulnerable groups of people and to ensuring their safe return under optimal conditions in the medium and long term. This would contribute to ensuring genuine national reconciliation and integration and lasting peace.

To conclude, I would like to reiterate my country's support for the work of the High Representative and our hope that Bosnia and Herzegovina will overcome its differences and consolidate a democratic and multiethnic State where its citizens, like those of the entire Balkan region, will be able to enjoy a more stable and more prosperous future as an essential part of integrated European institutions and organizations.

Mr. Mugoya (Uganda): We thank Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, for his comprehensive briefing. We also welcome His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and thank him for his statement.

Uganda commends the High Representative for his efforts in promoting the political processes, in particular facilitating the implementation of the Dayton Agreement. We are concerned about the negative developments arising from the ongoing attacks against State institutions, mainly by the Government of Republika Srpska, and the continued challenges to the authority of the High Representative and the Steering Board of the Peace Implementation Council. The impact of this has limited political progress, which could lead to further tension in the country. We therefore call on the authorities of Republika Srpska to refrain from divisive rhetoric and actions that challenge the sovereignty and constitutional order of Bosnia and Herzegovina.

We welcome the joint European Union-United States efforts aimed at initiating high-level political dialogue with the key leaders among the parties to sustain unity, facilitate reforms and break the political stalemate. We call on all parties to offer cooperation with this process in order to move the country forward. Furthermore, we urge all parties, including the neighbours of Bosnia and Herzegovina, to uphold their commitments to the sovereignty and territorial integrity of Bosnia and Herzegovina in the spirit of good-neighbourliness and peaceful coexistence.

We commend the European Union stabilization mission in Bosnia and Herzegovina (EUFOR), in collaboration with the armed forces of Bosnia and Herzegovina, for contributing to a safe and secure environment, which has enabled the Office of the High Representative and other international organizations to fulfil their respective mandates. It is in recognition of this important work that, this past week, Uganda supported the extension of the mandate of the EUFOR configuration (see resolution 1895 (2009)).

We welcome the progress that has been achieved in the area of the entrenchment of the rule of law and acknowledge the efforts by the European Union Police Mission in collaboration with the Office of the High Representative in supporting police reform and the fight against organized crime.

We are nevertheless concerned that the progress made could be jeopardized by the stagnation in the implementation of both the National War Crimes Prosecution Strategy and the National Justice Sector Reform Strategy. It is therefore important that the mandates of the international judges working in the Prosecutor's Office be extended, as recommended by the High Representative, in order to ensure justice sector reforms as soon as possible.

It is evident from the report (see S/2009/588*) that Bosnia and Herzegovina, like many other countries around the world, has not been immune to the global economic crisis. We are concerned about the substantial impact the crisis has had on foreign direct investment in the country. Furthermore, the funding deficit created could also impede the Government's capacity to make crucial investments for sustainable growth and to cover its other obligations.

The Government will require the support of international partners to focus on addressing these challenges, because they could potentially have a negative impact on the stability of the country. Given the important economic links that Bosnia and Herzegovina has with the countries in the region, we believe that strengthening economic cooperation with those countries will further enhance the Government's efforts to cope with the challenges arising from the global economic crisis.

We are also concerned about the situation of refugees and displaced persons. We call on the authorities to address their plight with a view to ensuring their quick return and resettlement.

Finally, we too congratulate Bosnia and Herzegovina upon its election as a non-permanent member of the Security Council for the period 2010-2011, and wish it success during its mandate.

Mr. Bui The Giang (Viet Nam): Let me join other members of the Council in welcoming His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, to the Security Council today and in thanking him for his statement. I especially congratulate him on the election of Bosnia and Herzegovina as a non-permanent member of the Security Council for the term 2010-2011. I also thank Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, for the thirty-sixth report on implementation of the Dayton Peace Agreement (see S/2009/588*) and for his comprehensive update.

As noted in previous meetings of the Council on Bosnia and Herzegovina, advancing the cause of building a secure, democratic and stable multi-ethnic State has always been among the most important objectives for the political leaders and the people of Bosnia and Herzegovina.

However, my delegation notes with concern the division among political leaders that is challenging the Dayton Peace Agreement and, by implication, the sovereignty and constitutional order of Bosnia and Herzegovina. We are also disturbed by the limited consensus on the main reform priorities, which is detrimental to the implementation of previously agreed reforms. The lack of substantive political dialogue is yet another source of concern.

In this context, we are heartened by the relatively stable relations between Bosnia and Herzegovina and its immediate neighbours. At this critical juncture, the political leaders of Bosnia and Herzegovina need to work together towards a shared vision on the direction of the country, so as to speed up the smooth operation of institutions and create more functional and efficient state structures.

We continue to strongly support the full implementation of the Dayton Peace Agreement, including the revised strategy for the implementation of annex 7 of the Agreement, as it provides a firm basis for resolving the problematic displacement of some 120,000 persons. We call upon the political leaders of Bosnia and Herzegovina to make every effort to promote the sustainable return of refugees and

internally displaced persons and guarantee their rights to employment, health care, education and pensions. Much more also needs to be done in the areas of border and migration management, as well as the fight against corruption and organized crime.

Finally, we support the High Representative for Bosnia and Herzegovina in his efforts to facilitate progress towards the full implementation of the Dayton Peace Agreement. At the same time, we wish to emphasize the need to ensure enhanced ownership and responsibility by Bosnia and Herzegovina in the political process of the country. We call upon the international community to continue to play an important role in promoting peaceful resolution of the conflict and in facilitating Bosnia and Herzegovina's transition to a stable, reform-oriented, modern and democratic country.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): At the outset I wish to warmly welcome Mr. Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and Mr. Inzko, High Representative for Bosnia and Herzegovina. I take the opportunity to reiterate our support to the High Representative and to his Office.

During the 14 years that have passed since the signing of the Dayton Peace Agreement, Bosnia and Herzegovina has stayed far away from war, but has not managed to establish peace firmly. The report of the High Representative (S/2009/588*) and the statement of the Chairman of the Council of Ministers clearly point out the challenges to be faced in consolidating the progress achieved and in implementing a clear agenda that would herald a promising future for the people of Bosnia and Herzegovina.

The continued lack of trust among political leaders and the resulting negative climate has had undeniable adverse consequences on the functioning of institutions, on reconciliation among peoples and consequently on the country's development prospects. The impasse in the country is essentially due to the persistent, divisive rhetoric employed and the continued challenges to the authority of the State and the High Representative.

The international community expects a change of attitude on the part of the political leaders of Bosnia and Herzegovina that is favourable to the establishment of a multi-ethnic and multinational State and that would foster democratic interaction among all of the political parties. Undeniably, the agenda for membership in the European Union is an important incentive and provides a framework for action to overcome the major challenges.

The inhabitants of Bosnia and Herzegovina want a European future, and that future will only be possible if their political leaders shoulder their responsibilities in this historic process. Here, Costa Rica welcomes the Butmir process as a positive step whose success depends solely on the commitment of the stakeholders. The leaders of Bosnia and Herzegovina must show maturity and political will in order to progress towards achieving unity and the development of the country and to make progress on the agenda for membership in the European Union.

In conclusion, I wish to refer specifically to two aspects that appear vital in the effort to build peace in Bosnia and Herzegovina. Six months ago we welcomed the adoption of the National War Crimes Prosecution Strategy and the National Justice Sector Reform Strategy. However, today we have become aware that there has been scant progress on those strategies to date. My country believes that entrenching the rule of law and combating impunity are fundamental for coexistence to prosper, and we thus call for redoubled efforts to ensure the full implementation of both strategies.

Lastly, we are concerned that the issue of the return of refugees and internally displaced persons continues to be politicized. We trust that the Ministry for Human Rights and Refugees will soon submit a revised strategy for the implementation of Annex VII of the Peace Agreement and that it will be rapidly adopted by the Bosnia and Herzegovina House of Peoples in order to ensure the safe and lasting return of the thousands of people who have not yet seen an end to this sad chapter in their lives.

Mr. Vilović (Croatia): At the outset, allow me to welcome His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina. Allow me at the same moment to congratulate Bosnia and Herzegovina for its election as a new member of the Security Council. We also welcome His Excellency Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina and Special Representative of the European Union, and thank him for his briefing today — the second in his new role. I wish to assure him of Croatia's full support in the conduct of his

duties and wish him every success in fulfilling his mandate. Croatia also aligns itself with the statement to be delivered by Sweden on behalf of the European Union.

Here I wish to make some additional comments. Croatia strongly supports the clear and unambiguous European and Euro-Atlantic perspective on Bosnia and Herzegovina. That was recently stressed during the two visits at the highest political level from Croatia. We believe that the futures of all of the countries of South-East Europe belong in the European Union, as it provides the most suitable framework for their overall development. We also support the official application by Bosnia and Herzegovina to NATO for a Membership Action Plan. Last year, important progress enabled Bosnia and Herzegovina to sign the Stabilization and Association Agreement with the European Union. However, we note with regret that the report before us (S/2009/588*) states that Bosnia and Herzegovina has made little progress towards implementing internal reforms — and has even regressed somewhat — as well as towards satisfying the priorities and conditions required for progress on the Euro-Atlantic agenda.

We are concerned by the ongoing attacks against State institutions, competencies and laws perpetrated mainly by the leadership of the Republika Srpska, as well as the continuing challenges to the authority of the High Representative and the Peace Implementation Council. In particular, we are concerned with the assessment of the High Representative on the current situation in the country during the reporting period that

> "anti-Dayton rhetoric challenging the sovereignty and constitutional order of Bosnia and Herzegovina also played a role" (*S/2009/588*, p. 3*).

We agree with the assessment that not all outstanding requirements have been met so far for the transition from the Office of the High Representative to the European Union Special Representative to take place. We support the work of the High Representative and share his assessments.

On the other hand, we believe that Bosnia and Herzegovina should continue — even accelerate — reforms and the adoption of visa liberalization-related laws in order to be admitted to the "White Schengen" list as soon as possible, so that its citizens do not lag too far behind their neighbours.

It has been our long-standing position that the impasse in Bosnia and Herzegovina can be overcome only through comprehensive and inclusive dialogue that includes the peoples of all three constituencies throughout the entire territory of the country. This is closely linked with the reforms needed to bring Bosnia and Herzegovina closer to the path of integration with the European Union and will also facilitate fulfilment of the country's other international obligations.

It is particularly important that the current dialogue on constitutional reform intensify, with the committed engagement of the international community and with the support assured by the High Representative.

Bosnia and Herzegovina is facing considerable problems, some of which are challenging the very foundations established by the Dayton Peace Agreement. However, it should be stressed that any constructive engagement that supports the territorial integrity of Bosnia and Herzegovina and any intention to improve the current situation and remedy the fundamental problems should be welcomed and encouraged. In that respect, let me welcome last week's decision on the prolongation of the mandate of the European Union Force in Bosnia and Herzegovina.

On this point, we wish to reiterate that the country's stability depends on respect for the constitutional principle of the collective equality of all three constituent peoples: Bosniacs, Bosnian Serbs and Bosnian Croats. We have stated on several occasions that there can be no Bosnia and Herzegovina without Croats in Bosnia and Herzegovina. Their political and cultural survival is vital to the continued existence of Bosnia and Herzegovina, as these two elements are closely intertwined.

One needs to keep in mind the particular situation of Croats in Bosnia and Herzegovina as the smallest and most vulnerable of the country's three nations. Their voice must be considered on the basis of equality, both ethnic and civic, as guaranteed in the Constitution and as arising from the history of the country. All three peoples must feel that Bosnia and Herzegovina is their country and that they are safe and protected over its entire territory. Their fundamental rights and freedoms, as well as their civic and ethnic rights, should be protected throughout, as should be the right to return to their pre-war homes and to be safe and protected.

Another important factor in the normalization of the situation in Bosnia and Herzegovina is the fight against impunity for war crimes. We wish to stress that all fugitives from the International Tribunal for the Former Yugoslavia who are still at large must be arrested and transferred to The Hague as soon as possible.

Finally, let me conclude by saying that Croatia, together with the rest of the international community, is offering the peoples of Bosnia and Herzegovina a clear and unambiguous European and Euro-Atlantic perspective. In that regard, we urge all three peoples to invest their greatest efforts in the Butmir process, which represents the biggest opportunity to date to make real progress in Bosnia and Herzegovina.

As a country that joined NATO recently and is undergoing a very demanding but rewarding process of negotiations with the European Union, Croatia can testify that strong central institutions are fundamental to the process of Euro-Atlantic integration. As a neighbouring State, we are very interested in seeing Bosnia and Herzegovina embark on that process as soon as possible. We regard it as the best guarantee of sustainable peace, security and prosperity for the country, the region and all Europe.

Mr. Dabbashi (Libyan Arab Jamahiriya) (*spoke in Arabic*): I welcome Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and thank him for his statement. I also wish to commend Mr. Valentin Inzko, High Representative of the Secretary-General for Bosnia and Herzegovina, for his comprehensive briefing.

Looking back at the early 1990s, we feel great satisfaction at seeing the country, which was then the scene of the most brutal crimes against humanity and of pain and suffering, has overcome its tragedy and begun to regain its strength, re-establish links among its peoples on a civilized basis, guarantee the rights of all, and pave the way towards overall security, stability and prosperity for all its citizens. We note that important achievements have been made towards the establishment of a Bosnia and Herzegovina united with its three peoples on the basis of the Dayton Peace Agreement, despite the differences among the parties, which are fuelled by the painful memories of the past and a lack of trust among the various parties. I wish to commend the efforts of the High Representative to persuade the parties to pursue the implementation of the Dayton Peace Agreement and to respect their attendant obligations.

Despite the positive developments of recent years, the country continues to move very slowly in implementing the constitutional reform process and in establishing conditions conducive to the transition of the Office of the High Representative to the European Union Special Representative mission. The slow pace can be ascribed to the lack of trust and constructive dialogue among the leaders of the parties, as well as to one party's challenges to and defiance of State authority, its failure to meet some of its obligations, and its attempts to reduce the powers and authority of the State and the federal Government. All these obstacles have hindered the implementation of the National Justice Sector Reform Strategy, the appointment of some judges to the Federation Constitutional Court, and the achievement of consensus on the distribution of tax revenues and of an acceptable and lasting solution to the problem of State property and other problems requiring the willingness of all parties to fulfil their obligations in good faith.

Among the problems of concern to us is the fact that 120,000 Bosnians are still registered as internally displaced and unable to return to their villages. We deeply regret the fact that the politicization of the issue of internally displaced persons and refugees has obstructed their return and prolonged their suffering. We believe that this issue must be prioritized and that all the State's energies and power should be dedicated to its solution, which would contribute strongly to stabilizing the State as a whole. We also feel that the tracking and prosecution of those guilty of crimes against humanity and war crimes could help to ease the suffering and erase the memories of the past, and contribute to the search for a better future for all the peoples of the country.

Peace and security will not be achieved if each party clings stubbornly to its own positions; they can be achieved only through consensus, mutual understanding, a sense of realism, and the fulfilment by each and every party of its obligations and commitments. We therefore urge all actors and parties to shoulder their obligations, act responsibly, engage in constructive dialogue, respect State institutions, cooperate fully with the High Representative and abide strictly by their commitments under the Dayton Peace Agreement and its annexes, the Paris accords and the relevant resolutions of the Security Council. That is the

best way to ensure the stability and multi-ethnic and multicultural nature of a Bosnia and Herzegovina working towards sustainable development, prosperity for all its people and the enhanced stability of the Balkan region as a whole.

Mr. Takasu (Japan): At the outset, I too should like to join my colleagues in extending a warm welcome to the Chairman of the Council of Ministers of Bosnia and Herzegovina, His Excellency Mr. Nikola Špirić. I also take this opportunity to congratulate the Government of Bosnia and Herzegovina on its election to membership of the Security Council next year. We wish it every success in its contributions to the work of the Council.

I should like also to thank the High Representative, Mr. Valentin Inzko, for his comprehensive briefing, and I commend his dedicated efforts since assuming that important responsibility in March.

Japan extends its full support to the policy of Bosnia and Herzegovina towards Euro-Atlantic integration. As a major contributor to the Peace Implementation Council, we hope it can achieve the five objectives and two conditions soon, so that the transition from the Office of the High Representative to the European Union Special Representative will be realized at the earliest possible date. We also hope that Bosnia and Herzegovina will be able to advance on its way forward to accession to the European Union by accelerating constitutional reform. We welcome high-level political discussions through the Butmir process initiated in October by the United States and the European Union. It is a fresh attempt to enable the people of Bosnia and Herzegovina to approach their major goals. I would like to confirm Japan's support for the process.

At the same time we are concerned about the attacks against State institutions and the challenges to the authority of the High Representative. Those moves go against constitutional order and the implementation of the five objectives and two conditions — the 5+2 process. We urge all political leaders to refrain from increasing nationalistic rhetoric challenging the constitutional order. They should heed the voice of the international community and cooperate with one another to tackle the remaining challenges of 5+2 and constitutional reform. To that end, it is essential for the international community to continue to pay close attention to political developments in the country. The future of Bosnia and Herzegovina rests with the determination of its people themselves.

The consolidation of peace in Bosnia and Herzegovina is a cornerstone of peace and prosperity in the entire Western Balkan region. Based on this belief, Japan has been actively contributing to the development of Bosnia and Herzegovina through its official development assistance programme, amounting to $450 million in three major areas, peacebuilding, economic development and intraregional cooperation. We have supported projects of community reconciliation through poverty reduction, through the United Nations Trust Fund for Human Security, and in October Japan committed to a grass-roots grant aid project for support of demining in Gracanica and extended loans amounting to ¥126 million for assistance in the environmental area.

The political situation in Bosnia and Herzegovina still remains delicate. We believe that the role played by the High Representative continues to be of vital importance. We reiterate our full support for High Representative Inzko. We also recognize the key role played by the European Union military mission in Bosnia and Herzegovina for a safe and secure environment.

I would like to conclude by expressing Japan's strong hope that the people of Bosnia and Herzegovina will work together through internal dialogue to stabilize the situation and achieve early integration into the Euro-Atlantic community.

The President: I shall now make a statement in my national capacity.

First of all let me extend a warm welcome to High Representative Valentin Inzko. We would like to thank him for the report before the Council today (see S/2009/588*). Let me take this opportunity to reaffirm our full and continued support for him and his Office as well as for the efforts that he undertakes in upholding the Dayton process and facilitating reform.

In addition I should like to warmly welcome the presence of Prime Minister Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina. We should also like to congratulate Bosnia and Herzegovina on its election to the Security Council, and we look forward to working with it, as its immediate neighbour at the Council table. We also

hope that this important challenge and responsibility will provide an element of cohesion within Bosnia and Herzegovina.

We should also like to align ourselves with the statement to be delivered by the representative of Sweden on behalf of the European Union, but I should like to make the following additional points.

We are encouraged by the recent progress on visa liberalization, and we hope that the implementation of the road map will soon be completed. Bosnia and Herzegovina must not fall behind its neighbours on the path towards Euro-Atlantic integration. Membership in the European Union (EU) offers by far the best medium-term and long-term chance for a solution to most of the current problems in the region.

We share the concerns of the High Representative about the prevailing political climate, which continues to prevent the country from completing outstanding reforms. Closure of the Office of the High Representative and the transition to a reinforced EU Special Representative remain crucial for Bosnia's further advancement. We appeal to all political leaders, with the assistance provided through the EU-United States initiative, to speed up key reforms related to the Euro-Atlantic perspective, constitutional functionality and the conditions that have been set for the closure of the Office of the High Representative.

It is time to correct the current course. The path Bosnia and Herzegovina chooses today will be decisive for the future prosperity and well-being of the country and its people.

Austria fully supports the ongoing efforts to establish and consolidate the rule of law in South-Eastern Europe and welcomes progress achieved in that regard by the Government of Bosnia and Herzegovina. Judicial and police reform present a very important — but by no means the only — challenge in this area.

In this context, I should like to draw the attention of the Council to the work done by the Regional Women's Lobby for Peace, Security and Justice in Southeast Europe. This body unites women politicians and activists from all countries of the region. It is an important grass-roots initiative, which Austria and the European Union support, in the implementation of resolutions 1325 (2000) and 1820 (2008). Former Austrian Foreign Minister Ursula Plassnik is actively involved in this work. A policy paper recently published by this pressure group makes the very valid point that respect for the rule of law is critical not only in the judiciary but in all aspects of State administration, especially in those areas with which citizens interact on a daily basis, such as the education and health sectors, where corruption regrettably remains a fact of daily life. The policy paper — which we shall be happy to share with members of the Council and other interested Member States — also stresses the need for increased rule of law activities related to gender-based violence.

We agree with the assessment of the High Representative that the European Union military operation in Bosnia and Herzegovina (EUFOR) still plays a key role in contributing to a safe and secure environment that helps the Office of the High Representative and other international actors to implement their mandates. This is also reflected in the recent extension of the EUFOR mandate by the Security Council, through resolution 1895 (2009). Austria will continue its commitment as a troop contributor to the operation. An Austrian officer, Major General Bernhard Bair, has recently assumed the responsibility of Force Commander.

Finally, let me reiterate that we are convinced that the stability and prosperity of Bosnia and Herzegovina is key for the realization of a broad zone of stability in the Balkans. I should like to assure our friends in Bosnia and Herzegovina that Austria is and will remain a reliable partner of Bosnia and Herzegovina on its path towards lasting stability and European integration. Its future, like that of the entire region, lies in the European Union. It is my firm conviction that the major challenge facing the political leadership of Bosnia and Herzegovina today is to make that future possible.

I now resume my functions as President of the Security Council.

I give the floor to the representative of Sweden.

Mr. Lidén (Sweden): I have the honour to speak on behalf of the European Union (EU). Croatia, the former Yugoslav Republic of Macedonia, Albania, Montenegro, Armenia, Iceland, the Republic of Moldova and Ukraine align themselves with this statement.

This is a critical time for Bosnia and Herzegovina. Political divisions are blocking necessary

reforms. The economic challenges are significant, and ordinary people are struggling to make ends meet. While the rest of the region is moving forward towards European integration, Bosnia and Herzegovina is at risk of falling behind. The European Union shares the High Representative's concern about the nationalist agendas that continue to dominate Bosnia and Herzegovina's politics and hamper efforts of progress and reconciliation. The immediate challenge is not the security situation, although that continues to require international engagement, but changing the negative political dynamic.

The European Union supports the continued efforts of the High Representative to ensure compliance with the Dayton-Paris accords and encourages Bosnia and Herzegovina to move ahead with crucial reforms in a difficult political climate. The European Union-led peacekeeping force (EUFOR ALTHEA) remains an important part of the EU's efforts to support a political process aimed at enabling Bosnia and Herzegovina to make progress in the EU integration process. We welcome the Security Council's adoption of resolution 1895 (2009), extending the Chapter VII mandate of EUFOR for another 12 months.

EUFOR ALTHEA continues to provide reassurance and remains ready to respond to possible security challenges throughout the country. A decision on the possible evolution of Operation ALTHEA will need to take political developments into account. The European Union also remains engaged through the European Union Police Mission, which is helping Bosnia and Herzegovina to focus on the fight against organized crime and corruption.

The European Union is deeply concerned about the ongoing challenges to the stability and constitutional order of Bosnia and Herzegovina. Other parts of Europe are taking steps to enhance cooperation and integration. The Lisbon Treaty, which enters into force on 1 December, will bring the European Union and its members even closer. The path chosen by Bosnia and Herzegovina's leaders in the coming period will be of great importance for the European future of their country and its people.

In October, the European Union, together with the United States, proposed a way forward. The proposal includes two main elements needed in order to advance Bosnia and Herzegovina's prospects for European integration. First, the proposal seeks to achieve progress to meet the five objectives and two conditions set by the Peace Implementation Council for the closure of the Office of the High Representative. It sets out a model for the local political leadership to reach a necessary compromise on the issues of State and defence property, which is necessary for achieving a transition from the Office of the High Representative to the reinforced presence of the European Union. The EU would not be able to consider an application for membership by Bosnia and Herzegovina as long as the Office of the High Representative is in place.

Secondly, the proposal indicates a necessary set of modest constitutional changes to allow Bosnia and Herzegovina to meet the obligations of the European Union integration process. It focuses on efforts to increase the functionality of the State, without changing its basic features. It also seeks to ensure compatibility with the European Convention on Human Rights. This proposal represents our best advice, but the responsibility for reaching the necessary compromises and taking them forward rests with the local political leaders.

The Peace Implementation Council's meeting in Sarajevo on 18 and 19 November was an important occasion to take stock of developments. The European Union shares the Peace Implementation Council's concern over the insufficient progress that Bosnia and Herzegovina's authorities have made in preparing the ground for the closure of the Office of the High Representative. The Peace Implementation Council communiqué also welcomed the current engagement of Bosnia and Herzegovina's leaders in discussions on constitutional change and encouraged them to remain seriously engaged and to reach lasting agreements. We echo those sentiments.

The political process is in a decisive phase. We urge the parties to reach the necessary compromises in the coming period. Momentum needs to be built before the spring, when Bosnia and Herzegovina will enter a period dominated by the election campaign, which may be less conducive to reform and compromise.

The recent progress made by Bosnia and Herzegovina in meeting the benchmarks of the European visa liberalization road map is a source of optimism and an example that Bosnia and Herzegovina can implement difficult and demanding reforms once there is sufficient political will. This is encouraging

The European Union has provided Bosnia and Herzegovina with significant development and humanitarian assistance over the years. We hope that our future assistance will focus exclusively on facilitating EU integration, not least through the reinforced EU delegation tasked to advise Bosnia and Herzegovina's authorities on all aspects of the European Union accession process. To be in a position to accede to the EU, Bosnia and Herzegovina has to take all necessary measures to reach full sovereignty. It is for the leaders of Bosnia and Herzegovina — and ultimately for its people — to decide what kind of future they want.

The President: I call on the representative of Serbia.

Mr. Starčević (Serbia): At the outset, I should like to welcome His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina.

As a neighbouring country that desires sincere, good-neighbourly and friendly relations with Bosnia and Herzegovina, Serbia is following the development of the overall situation in Bosnia and Herzegovina with due attention. As a signatory and a guarantor of the Peace Agreement for Bosnia and Herzegovina, and in accordance with Security Council resolution 1031 (1995) on its implementation, Serbia is firmly committed to respecting the territorial integrity and sovereignty of Bosnia and Herzegovina as a matter of principle. Also, Serbia supported the candidacy of Bosnia and Herzegovina as a non-permanent member of the Security Council, and I wish once again to congratulate it on its election.

The position of my country incorporates concrete support of Bosnia and Herzegovina in the process of European integration and we regard membership in the European Union for all the countries of the South-East European region as a common goal. Serbia is of the view that regional economic cooperation — both bilateral and intraregional, through the Central European Free Trade Agreement — gives a particular impulse towards the permanent stabilization of the situation in Bosnia and Herzegovina, as well as of the region as a whole.

My country supports the processes of internal political reforms aimed at advancing the institutional capacities of Bosnia and Herzegovina, and welcomes all political initiatives to intensify these reforms. We take note of the fact that the representatives of all political parties from both entities and all three constitutive peoples expressed certain reservations with regard to the solutions recently proposed by the representatives of the European Union and the United States within the so-called Butmir process.

The Republic of Serbia will honour every agreement that is accepted by the representatives of both entities and supported by a consensus among all three constitutive peoples containing sustainable solutions in the spirit of contemporary democratic values. We encourage all participants in this process in Bosnia and Herzegovina to do all that is necessary for such an agreement to be reached. Also, Serbia views the ongoing process of the transition of authority from the Office of the High Representative to the European Union Special Representative in Bosnia and Herzegovina to be in accordance with the 2+3 principle of consensus.

In conclusion, I should like to say that the Republic of Serbia agrees with the assessments presented in the report of the High Representative and the conclusions of the European Union Council of 17 November concerning the role and contribution of the European Union-led peacekeeping force in maintaining security in Bosnia and Herzegovina. We therefore support the proposal of Office of the High Representative to extend the mandate of that mission.

The President: I now give the floor to Mr. Inzko to respond to the comments made and the questions raised.

Mr. Inzko: I should just like to make some general brief remarks. I should like to thank everybody for their contributions, support, encouragement, suggestions and, of course, the concern they have shown for Bosnia and Herzegovina. I would also like to sincerely thank Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, for his frank and open assessment of the situation. Believe me, he has a very difficult job. I understand that very well.

Beyond that, I would like to speak briefly about the confusion that exists about my perceptions on two issues, especially on the Bonn powers. The Bonn powers have been used in the past around 900 times. Lord Ashton once invoked them 60 times in one day. This use of the Bonn powers is something that is now

in the past; they are being invoked less and less. Altogether, 180 politicians have been removed, among them three State Presidents. But, as I said, this is a concept of the past. I have used the Bonn powers only in eight areas, and have tried to do so in a way that is transition-driven, exit-driven, "5 plus 2" driven. The use was usually technical and aimed at finding a solution or in cases where the Dayton Agreement had been violated. I did not use the Bonn powers lightly, and, believe me, I was never happy about it, but, as I am the ultimate authority in the theatre, when it comes down to it and there is no other choice, I have to use them.

Concerning the report (S/2009/588*), any report is a reflection of reality, and is, I think, more valuable if reality is reflected. Every report, whether it be a European Union or a United Nations report, is, in a way, seismic, registering any tremor occurring anywhere in the world, whether in Asia, Latin America or Europe, even Bosnia and Herzegovina. I think it is right that it reflect such tremors correctly and precisely. We cannot turn a blind eye to such problems or brush them under the carpet. They will not diminish or disappear if we do so. Of course, I would be delighted, next time, to present a more upbeat report, a report of a sovereign, prosperous, and democratic Bosnia and Herzegovina, standing on its own and on its way to being fully integrated into the Euro-Atlantic integration. That is the wish of all of us, of course.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.25 p.m.